

Aprile Property
Grantor's Prohibited Uses

1. Development of the Property. The exercise of development rights in a manner inconsistent with the terms of the easement, including subdivision or partitioning of the property unless in accordance with the terms of the easement.
2. Prohibited Land Uses.
 - a. Golf courses, drive ranges, commercial or non-profit recreational facilities;
 - b. Paving of existing roads and trails and construction of new roads not in accordance with the terms of the easement;
 - c. Commercial or industrial uses, including commercial feedlots, other than those related to agricultural or recreational uses permitted under the easement;
 - d. New buildings, structures or other improvements, including fences, roads, parking lots, radio towers, towers for cellular communication, utility transmission lines and related facilities (above or below ground), unless permitted under the easement;
 - e. Harvesting, destruction or removal of trees or other natural growth, except as permitted under the easement;
 - f. Installation of underground storage tanks, processing, storage, dumping or disposal of waste, trash, rubbish, vehicle parts or bodies, refuse and debris, with the exception of water purification systems and drywells;
 - g. Placement of signs or billboards on the property unless posted to state the name and address of the property, the names of persons living there, for-sale or for-rent signs, or to control unauthorized use or entry.
3. Activities Resulting in Adverse Environmental Impacts. Any activity that causes or is likely to cause significant soil degradation or erosion, or significant depletion or pollution of any surface or subsurface waters; draining, filling, dredging or diking of any area of the property, or cultivation or other disturbance of soil except to repair erosion damage.
4. Recreational and Other Use. The use of any motorized vehicles on the property. Any use or activity not specifically mentioned in the easement that would impair or interfere with the purposes of the easement or adversely affect the conservation values protected thereunder.

Grantor's Reserved Rights

1. Existing Improvements. Repair, replacement and maintenance of existing buildings, structures, roads, drives, trails, paths, fences and similar improvements.
2. Reservation of Homesite. Construction of a second single-family home, including necessary driveways, which may include direct access to Taylorsville Road, utilities, accessory structures, such as a garage or tool shed, and improvements as designated on Exhibit B, or in another area approved by Grantee. Routine maintenance, landscaping, horticultural activities and upkeep consistent with the purpose of the easement is expressly reserved for any second homesite that may be constructed.
3. New Agricultural Improvements. Construction of new fences, barns and sheds necessary for agricultural operations and craft works, including a horse training ring, chicken coop, pottery kiln, or loom house, provided there is no obstruction of the scenic view into the property from the public right-of-way. Composting or storage of vegetative waste generated by permitted activities on the property, and storage for removal at reasonable intervals normal and customary waste generated by these activities.
4. New Residential Improvements. Maintenance of trees, shrubs and lawn in good condition, construction of vegetable or flower gardens, installation of new landscaping, and removal or alteration of existing landscaping as necessary. This includes the selective pruning or thinning of trees on the property, in accordance with best management practices recommended by the Kentucky Division of Forestry or its successor agency, for the purpose of fire prevention, thinning, elimination of disease or control of insects, control of non-native species, or to prevent personal injury or property damage.
5. New Recreational Improvements. Creation of new pedestrian trails or footpaths, but not for use by motorized vehicles.
6. Reservation of Property Rights. Posting against trespassing, fishing and hunting, or mowing of protective buffers. Lease or grant of other less-than-fee interests of all or a part of the property for any use permitted under the easement, provided such lease or grant is subject to the terms of the easement.

Summary of Grantee's Rights

The primary purpose of this easement is to protect the open space and agricultural character of the subject property in an area experiencing greater development pressures. Other goals in protecting this property include watershed protection, as the property is adjacent to the Floyd's Fork Development Review Overlay, and has water features that drain to Floyd's Fork, and the protection of significant wildlife and plant communities. Grantee has the right to uphold and protect the conservation values of the property, to

engage in monitoring activities to ensure compliance with the easement, and to prevent any use of the property that is inconsistent with the terms of the easement.